

Message

From: Brett Bowyer [brettbowyer@bowyerenvironmental.com]
Sent: 10/2/2019 12:18:28 AM
To: Castellana, Ben [castellana.ben@epa.gov]; Michael Lebow [mlebow@srllplaw.com]; George Pondella [GPondella@rossmoyneinc.com]
CC: James Bates [jbates@jbateslaw.com]; BERMAN, TESSA [Berman.Tessa@epa.gov]; Ehe, Robert@Waterboards [Robert.Ehe@waterboards.ca.gov]; Michal Haynes [mhaynes@aqmd.gov]; Tobias, Rod [Rod.Tobias@WestonSolutions.com]; Alan Malagon [alanmalagon@bowyerenvironmental.com]; Zachary Gilmer [zachgilmer@gmail.com]
Subject: RE: FPN E19902 Slauson Tanker Fire - Technical Conference Call
Attachments: ATT00001.txt

Hi Ben,

At this point, the issues with the longest potential lead time and uncertainty are probably associated with:

1. **Building Demolition at 216 Slauson** – Is asbestos and lead present? Will mitigation impact the schedule?
2. **Acquisition of the Grading Permits** - We have a draft plan that we will be walking through with the City tomorrow. Hopefully we will have a better handle on the permit schedule and contact info /permit number that we can relay to you tomorrow.

Once we get these issues squared away, we should be able to produce a schedule with a reasonable degree of confidence.

We will let you know what we find out regarding the grading permit tomorrow.

Thanks.

Brett Bowyer, P.G.



17011 Beach Boulevard, Suite 900
Huntington Beach, CA 92647
Office: (877) 232-4620 Ext. 101
Cell: (714) 878-7191
FAX: (714) 494-1912

To send large files to Brett Bowyer through the BEC drop box click on the following link:

<https://spaces.hightail.com/uplink/BECdropbox>

PRIVILEGED AND CONFIDENTIAL

This e-mail may contain material that is confidential, privileged and/or attorney work product for the sole use of the intended recipient(s). All information transmitted hereby is intended solely for the viewing and use of the addressee(s) named above. If you are not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient(s), please note that any further reading, printing, copying or other distribution of this message is strictly prohibited. If you have received this message in error, please notify us immediately by telephone or reply e-mail and delete the message from your e-mail system.

To comply with IRS regulations, we advise you that any discussion of Federal tax issues in this e-mail was not intended or written to be used, and cannot be used by you, (i) to avoid any penalties imposed under the Internal Revenue Code or (ii) to promote, market or recommend to another party any transaction or matter addressed herein.

From: Castellana, Ben <castellana.ben@epa.gov>

Sent: Tuesday, October 1, 2019 1:47 PM

To: Brett Bowyer <brettbowyer@bowyerenvironmental.com>; Michael Lebow <mlebow@srllplaw.com>; George Pondella <GPondella@rossmoyneinc.com>

Cc: James Bates <jbates@jbateslaw.com>; BERMAN, TESSA <Berman.Tessa@epa.gov>; Ehe, Robert@Waterboards <Robert.Ehe@waterboards.ca.gov>; Michal Haynes <mhaynes@aqmd.gov>; Tobias, Rod <Rod.Tobias@WestonSolutions.com>

Subject: RE: FPN E19902 Slauson Tanker Fire - Technical Conference Call

Thank you, Brett, and Michael Haynes as well.

I would like to put together a realistic timeline for the removal process, preferably one that has the soil removal completed before the rainy season begins (circa late November). Please keep me in the loop about permit issues, especially with the City of LA, as their Stormwater Division can help put things on the front burner.

George Pondella, please reach out to Michael Haynes at your earliest convenience, and let me know when you are ready to demo the structure.

Thank you all for your effort and input. Please reach out with any issues; sooner is better than later at this point.

Sincerely,

Ben Castellana, Ph.D.
On-Scene Coordinator
US EPA Region 9
Superfund Emergency Response
(562) 305-0694 cell

From: Brett Bowyer <brettbowyer@bowyerenvironmental.com>

Sent: Tuesday, October 1, 2019 1:22 PM

To: Michael Lebow <mlebow@srllplaw.com>; George Pondella <GPondella@rossmoyneinc.com>; Castellana, Ben <castellana.ben@epa.gov>

Cc: James Bates <jbates@jbateslaw.com>; BERMAN, TESSA <Berman.Tessa@epa.gov>; Ehe, Robert@Waterboards <Robert.Ehe@waterboards.ca.gov>; Michal Haynes <mhaynes@aqmd.gov>

Subject: RE: FPN E19902 Slauson Tanker Fire - Technical Conference Call

Greetings,

Mr. Haynes of the SCAQMD called me today to discuss the project, as he was out all of last week. Some of the primary points covered during my call with him are summarized as follows.

1. **Status of Rule 1166 Permit** – Mr. Haynes indicated that as we are planning on excavating far less than 2,000 cubic yards he believed that we do not need a site-specific permit and a valid Various Location permit would likely be sufficient. Mr. Haynes requested a copy of the Various Location Permit be sent to him once we have

made a final selection of contractors. Once we have made our final contractor selection, Mr. Haynes recommended that we have a call to go over the Rule 1166 requirements. We agree with this recommendation and will set up the call. I explained that in addition to the normal Rule 1166 monitoring, we plan on doing upwind and downwind particulate and VOC monitoring throughout the excavation program. In addition, we plan on monitoring benzene levels at the excavation face in addition to the standard PID measurements. Mr. Haynes referred us to Rule 1466 for templates and examples on particulate monitoring that we can utilize. As a school is located within 1,000 feet, Mr. Haynes recommended that we prepare a notification sheet and take it by hand to the Principals office in advance of the planned excavation. The notification sheet will include contact information for BEC so that the school can call us directly in case there is an odor issue, so that it can be mitigated right away.

2. **Demo of House at 216 Slauson** – Mr. Haynes would like to have representatives of the Solis family call him to discuss pre-demo requirements. He mentioned the need for an asbestos survey and a demolition notice. Mr. Haynes and representatives of the Solis family (Mr. Bates and Mr. Pondella) are all copied on this email so that they have contact information for one another.
3. **Additional Team Calls** – Mr. Haynes recommended at least one more team call prior to begging the filed work. We will continue to copy Mr. Haynes on team meeting requests.

If I missed any important details, please feel free to add or modify the above summary.

Thank you.

Brett Bowyer, P.G.



**BOWYER ENVIRONMENTAL
CONSULTING, INC.**

17011 Beach Boulevard, Suite 900
Huntington Beach, CA 92647
Office: (877) 232-4620 Ext. 101
Cell: (714) 878-7191
FAX: (714) 494-1912

To send large files to Brett Bowyer through the BEC drop box click on the following link:

<https://spaces.hightail.com/uplink/BECdropbox>

PRIVILEGED AND CONFIDENTIAL

This e-mail may contain material that is confidential, privileged and/or attorney work product for the sole use of the intended recipient(s). All information transmitted hereby is intended solely for the viewing and use of the addressee(s) named above. If you are not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient(s), please note that any further reading, printing, copying or other distribution of this message is strictly prohibited. If you have received this message in error, please notify us immediately by telephone or reply e-mail and delete the message from your e-mail system.

To comply with IRS regulations, we advise you that any discussion of Federal tax issues in this e-mail was not intended or written to be used, and cannot be used by you, (i) to avoid any penalties imposed under the Internal Revenue Code or (ii) to promote, market or recommend to another party any transaction or matter addressed herein.

From: Michael Lebow <mlebow@srllplaw.com>

Sent: Wednesday, September 25, 2019 12:05 PM

To: George Pondella <GPondella@rossmoyneinc.com>; Castellana, Ben <castellana.ben@epa.gov>; Brett Bowyer <brettbowyer@bowyerenvironmental.com>

Cc: James Bates <jbates@jbateslaw.com>; BERMAN, TESSA <Berman.Tessa@epa.gov>; Ehe, Robert@Waterboards

<Robert.Ehe@waterboards.ca.gov>; Michal Haynes <mhaynes@aqmd.gov>

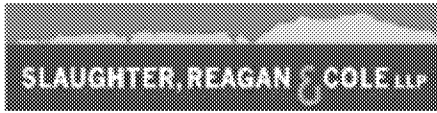
Subject: RE: FPN E19902 Slauson Tanker Fire - Technical Conference Call

Dear All,

I have a morning deposition out of the office tomorrow. I am hopeful that it will be concluded before 2:00 p.m. and I will be available to make the call. However, there is a chance I will be engaged and unavailable.

Sincerely,

Michael Lebow



Michael Lebow

625 E. Santa Clara Street, Suite 101


Ventura, California 93001

Phone: (805) 658-7800

Facsimile: (805) 644-2131

Email: lebow@srllplaw.com

Website: <http://www.srllplaw.com>

 **GO GREEN:** Please consider the environment before you print.

NOTICE IS HEREBY GIVEN that this office does not accept ex parte notice via email and does not accept or consent to the service of process, motions, pleadings, documents, or any other items by electronic format unless consent to such service is given and is given expressly. Correspondence via electronic format does not indicate agreement or consent to acceptance of service in that format.

CONFIDENTIALITY NOTICE: The information contained in this communication, including attachments, is privileged and confidential. It is intended only for the exclusive use of the addressee. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error please notify us by telephone immediately at (805) 658-7800. Thank you.

From: George Pondella <GPondella@rossmoyneinc.com>

Sent: Wednesday, September 25, 2019 10:12 AM

To: Castellana, Ben <castellana.ben@epa.gov>; Brett Bowyer (brettbowyer@bowyerenvironmental.com) <brettbowyer@bowyerenvironmental.com>

Cc: James Bates <jbates@jbateslaw.com>; Michael Lebow <mlebow@srllplaw.com>; BERMAN, TESSA <Berman.Tessa@epa.gov>; Ehe, Robert@Waterboards <Robert.Ehe@waterboards.ca.gov>; Michal Haynes <mhaynes@aqmd.gov>

Subject: RE: FPN E19902 Slauson Tanker Fire - Technical Conference Call

Tomorrow, Thursday, at 2:00PM for conference call works for me.

Thanks,

GEORGE PONDELLA

Rossmoyne, Inc.

3500 Ocean View Boulevard
Glendale, CA 91208

ED_012956_00001285-00004

O: 818.249.8397
M: 818.207.5661

www.rossmoyneinc.com
@rossmoyneinc

From: Castellana, Ben [mailto:castellana.ben@epa.gov]

Sent: Wednesday, September 25, 2019 9:26 AM

To: George Pondella <GPondella@rossmoyneinc.com>; Brett Bowyer (brettbowyer@bowyerenvironmental.com) <brettbowyer@bowyerenvironmental.com>

Cc: James Bates <jbates@jbateslaw.com>; Michael Lebow <mlebow@srllplaw.com>; BERMAN, TESSA <Berman.Tessa@epa.gov>; Ehe, Robert@Waterboards <Robert.Ehe@waterboards.ca.gov>; Michal Haynes <mhaynes@aqmd.gov>

Subject: FPN E19902 Slauson Tanker Fire - Technical Conference Call

Hi All,

It appears that we are moving forward with plans and permits for the soil removal at 210 and 216 W. Slauson. I want to make sure we are effectively coordinating efforts to ensure that the project elements dovetail effectively and in a timely manner. Let's have a conference call in the next couple of days – I suggest 2 PM tomorrow (Thursday, September 26), but please let me know otherwise. I think it's most important that Mr. Pondella and Mr. Bowyer coordinate, but it would be good to have LARWQCB and SCAQMD on the call. Legal counsel can be present, but please remember that this is a technical meeting.

Agenda to include:

- Workplan status
- Permits – what permits are needed and how to expedite
- Demolition of red-tagged structure at 216 W. Slauson
- Monitoring
- Crawlspace screening/sampling for benzene at adjacent residences

I welcome input to this agenda regarding other technical issues, but there will be no discussions about damages, liability, cost recovery, or any other enforcement elements.

Brett Bowyer has offered his conference line, and will send out an invite following this message. Please respond quickly so we can plan accordingly.

Sincerely,

Ben Castellana, Ph.D.
On-Scene Coordinator
US EPA Region 9
Superfund Emergency Response
(562) 305-0694 cell